

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF DELAWARE**

MICHAEL NINIVAGGI, JAKE MICKEY,
CAILIN NIGRELLI, and HANNAH RUSSO,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

UNIVERSITY OF DELAWARE,

Defendant.

Civil Action No. 20-cv-1478-SB

**NOTICE OF MOTION FOR PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that upon: (1) the accompanying Memorandum of Law, and (2) the Declaration of Joshua D. Arisohn, and the exhibits attached thereto (including the Parties' Class Action Settlement Agreement), Plaintiffs Michael Ninivaggi, Jake Mickey, Cailin Nigrelli Hannah Russo and Sean Griffin, through their undersigned attorneys, will move this Court, before the Honorable Stephanos Bibas, United States Circuit Court Judge, at the J. Caleb Boggs Federal Building and United States Courthouse, 844 North King Street, Wilmington, Delaware, for an Order, pursuant to Federal Rule of Civil Procedure 23(e): (i) granting preliminary approval of the Class Action Settlement; (ii) provisionally certifying the Settlement Class under Federal Rule of Civil Procedure 23(b)(3) in connection with the settlement process; (iii) appointing Bursor & Fisher, P.A. as Class Counsel; (iv) appointing Plaintiffs as the Class Representatives for the Settlement Class; (v) approving the Notice Plan for the Class Action Settlement described in the Class Action Settlement Agreement and its Exhibits, as well as the specific Notice of Class Action and Proposed Settlement (the "Proposed Notice"), attached as

Exhibits B-D to the Settlement Agreement, and directing distribution of the Proposed Notice;
and (vi) granting such other, further, or different relief as the court deems just and proper.

* * *

A Proposed Preliminary Approval Order is submitted herewith.

Dated: June 7, 2023

Respectfully submitted,

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